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Sen. Ryan Mishler
Sen. Jean Breaux
Sen. John Broden
Sen. Lindel Hume
Rep. Terri Austin, Vice-Chairperson
Rep. Joe Micon
Rep. Sandra Blanton
Rep. Thomas Knollman
Rep. Phil Hinkle
Rep. Robert Cherry



INTERIM STUDY COMMITTEE ON LEARNER'S PERMITS AND GRADUATED DRIVER'S LICENSES

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MEETING MINUTES¹

Meeting Date: September 18, 2008
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington
St., Room 431
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Sen. Thomas Wyss, Chairperson; Sen. Travis Holdman; Sen. Jean Breaux; Sen. Lindel Hume; Rep. Joe Micon; Rep. Sandra Blanton; Rep. Thomas Knollman; Rep. Phil Hinkle; Rep. Robert Cherry.

Members Absent: Sen. Ryan Mishler; Sen. John Broden; Rep. Terri Austin, Vice-Chairperson.

Chairperson Wyss called the meeting to order at 10:12 a.m. The members of the Committee and the staff of the Legislative Services Agency were introduced. Senator Wyss explained that the Committee was established by the Legislative Council after the passage of HEA 1112-2008. He thanked Rep. Micon for his work on that bill, and also thanked Sherry Deane from the American Automobile Association (AAA) for her assistance regarding this meeting. The Committee then heard testimony from various individuals.

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

1. Sherry Deane. Ms. Deane, of AAA, also represents the Indiana Graduated Driver's License (GDL) Coalition. She stated that motor vehicle deaths kill more teens each year than the next 5 leading causes of death combined. Research (Exhibit A) shows that when a state has a GDL law teen drivers are involved in fewer crashes and injuries. The main components of the GDL are a minimum age of 16 for a learner's permit and no issuance of an operator's license before 16 years and 6 months, at least 50 hours of supervised driving after the learner's permit is granted, a nighttime driving restriction, and longer timeframes for passenger restrictions. AAA has done surveys of AAA members who overwhelmingly support a prohibition against the use of electronic communications devices by young drivers. Representative Micon gave the members a legislative survey result from his constituents on the GDL proposal, which had wide support (Exhibit B). In response to Representative Hinkle, Ms. Deane recommended no compromise on the issue of handsfree cellular phone use by probationary drivers. Senator Breaux wondered how a 50 hour practice driving requirement could be verified. Ms. Deane stated that it was assumed that a log might be used and then left up to the parent to certify the practice driving. Representative Micon noted that there is a perception that driving is an important part of the rural experience, but Ms. Deane would not recommend more driving privileges to rural youth. Senator Breaux questioned as to whether the adult would be required to have an unblemished driving record in order to supervise the operator's practice driving.

2. Kira Hudson. Ms. Hudson works for Clarian Health encouraging accident prevention. Ms. Hudson's concern lies in the use of electronic communications devices while driving. She became a paraplegic when she had a motor vehicle accident while using a cell phone. She cited studies showing that 80% of all crashes are related to distracted driving. In response to Representative Knollman, Ms. Hudson expressed the hope that drivers will look at her and her photos and vow to drive with more care.

3. Dr. Joseph O'Neil. Dr. O'Neil is a developmental pediatrician at Riley Hospital for Children, interested in injury prevention. He gave the Committee information concerning statistics and research about teen driving accidents and deaths (Exhibit C). He supports the GDL components, but believes that GDL does not take the place of parental supervision in driving experience. In addition, he would like to see a 6 to 12 month restriction against passengers after the granting of a teen operator's license unless there is a supervising adult in the motor vehicle.

4. Thomas Zachary. Mr. Zachary, representing the Indiana Driving Schools Association and the Indiana Driver Education Association, is a driving instructor with 24 years experience. His organizations' missions are to save lives and reduce injuries (Exhibit D). He also is concerned with the differences concerning the licensing of driver's education instructors between the BMV (the responsibility soon to be transferred to the Criminal Justice Institute) and the Department of Education. Discussion ensued concerning driver's education instruction, including on-line education. In response to Senator Wyss, Commissioner Ron Stiver of the Indiana Bureau of Motor Vehicles (BMV), who was in the audience, replied that the standards for private driver education schools are set by the BMV by rule, and there are random audits of those schools by the BMV.

5. Tammy Gray. Ms. Gray represents the Safe Driving Coalition of Elkhart County. She has taught driver's education for 6 years, with one-on-one driving instruction, and believes that more instruction time behind the wheel should be required. She believes that new drivers have the same reflexes as a drunk driver and also shared stories concerning teaching her driver's education students.

6. Robert Spolyar. Mr. Spolyar represents State Farm Insurance. Mr. Spolyar approves of the language in the introduced version of HB 1112-2008, and feels that the changes to

current law in that bill could possibly reduce insurance premiums. He believes that the additional training required in the bill would produce better drivers.

7. Dr. John McGoff. Dr. McGoff represents the College of Emergency Physicians, Indiana chapter. He supports GDL legislation because as an emergency room doctor, he is concerned about loss of life.

8. Stanley Henderson. Mr. Henderson represents the Indiana Driver Education Association. He believes that there are national curricula that could be used for driver's education. He feels that it is important for a new driver not just to spend time practicing, but also to practice the proper techniques to be used in driving. Statistics from other states that have GDL lead him to believe that GDL has a positive impact. He urged the Committee to view the studies set forth on page 3 of his statement (located in Exhibit A).

9. Angie Pinna. Ms. Pinna wanted the committee to realize that crashes resulting from teen drivers do not affect just them. She shared the story of the loss of her 6 year old daughter when a teen driver crossed the center line and hit her car. This driver had been involved in a crash earlier in the year when a passenger had been seriously injured. In her submission to the Committee, she urged the Committee to support a GDL bill (Exhibit E).

10. Ann Doran. Ms. Doran, of the Ice Miller law firm, represents the Property Casualty Insurers Association of Indiana. She appeared before the Committee to add support for a GDL bill, in part because there are many more vehicles on the road than in earlier times. A discussion ensued concerning a 50 hour practice requirement as a part of any legislation that would be proposed. She supplied comments to the Committee with Exhibit F.

11. Rick Hernandez. Mr. Hernandez represents I Drive Safely, a technology based on-line driving education company. He cautioned that new drivers learn by experience, so parents should be careful of their driving habits when teaching their children or relatives. His program has a post-licensing educational component curriculum. He believes that post-licensing training should extend at least to age 18 or 19, but that some studies would recommend that training be extended to age 25. His company offers what he believes is an affordable cost for the post-licensing training.

12. Ron Stiver. Mr. Stiver, Commissioner of the BMV, received praise from Chairperson Wyss for the performance of the BMV since he has held the position. Commissioner Stiver believes that teens are most likely to die in motor vehicle accidents, and that there is a huge cost from teen accidents nationally. Senator Breaux is interested in required driver's education before an operator's license can be granted. Commissioner Stiver is concerned that the oversight by the BMV of the private schools' driver's education courses is more stringent than the oversight of the public driver's education schools by the Department of Education. Senator Holdman suggested that a motor vehicle that was being driven by a newly licensed driver might be required to bear some type of identifying symbol to indicate this status. If that were utilized, he felt that law enforcement might be able to stop the driver if the officer saw that there were passengers in the vehicle.

A copy of the introduced version of HB 1112 -2008 was given to all members of the Committee (Exhibit G). Chairperson Wyss announced that this bill's concepts would be discussed at the next meeting, which was set for Wednesday, October 1 at 10:00 a.m. at the State House. There being no more business before the Committee, the meeting was adjourned at 12:27 p.m.